

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	2:17-CV-05835-DOC (SK)	Date	January 26, 2018
Title	Harvey v. Rodriguez, et al.		

Present: The Honorable	Steve Kim, United States Magistrate Judge		
Marc Krause	n/a		
Deputy Clerk	Court Reporter / Recorder		
Attorneys Present for Plaintiff:	Attorneys Present for Defendants:		
None present	None present		

Proceedings: (IN CHAMBERS) **ORDER TO SHOW CAUSE RE: FAILURE TO PROSECUTE**

On October 30, 2017, the Court, pursuant to 28 U.S.C. § 1915(e)(2), dismissed Plaintiff's Complaint with leave to amend. (ECF No. 11). Plaintiff was required to submit an amended complaint on or before November 17, 2017. (*Id.*). Pursuant to Plaintiff's requests, the Court has subsequently granted two extensions of time, permitting Plaintiff to submit his amended complaint on or before January 22, 2018. (ECF Nos. 13, 15). As of the date of this order, Plaintiff has not filed an amended complaint or any other document indicating his intent to prosecute this action.

Therefore, Plaintiff is ORDERED TO SHOW CAUSE on or before **February 26, 2018** why this case should not be dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962); *Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002). If Plaintiff wishes to proceed with this action, he may discharge this Order to Show Cause by filing an amended complaint, consistent with the Court's October 30, 2017 order, on the attached form and in compliance with the Federal Rules of Civil Procedure. If Plaintiff does not wish to proceed with this action, he may voluntarily dismiss this action using the attached Notice of Dismissal form.

Plaintiff is advised that the failure to file a timely response to this Order may result in involuntary dismissal of this action for failure to comply with a court order and failure to prosecute. *See* Fed. R. Civ. P. 41(b); L.R. 41-1.

The Clerk is directed to attach to this Order a Notice of Dismissal form (CV-009) and the form Civil Rights Complaint (CV-66).